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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)	Docket No. A-8730

In Re Application Of: Nyle ELLIOTT et al.

MAY 2 6 2006

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/720,213	November 25, 2003	Manuel A. Mendez	20741	3763	4978

Invention: SINGLE USE CATHETER

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated   **April 6, 2006**   finally rejecting Claim(s) **1-4, 7 and 8**

Applicant is a small entity under 37 CFR 1.9 and 1.27.

☒   Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: **$250.00**

☒   A check in the amount of the fee is enclosed.

☐   The Director has already been authorized to charge fees in this application to a Deposit Account.

☒   The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No.   **08-2455**

☐   Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
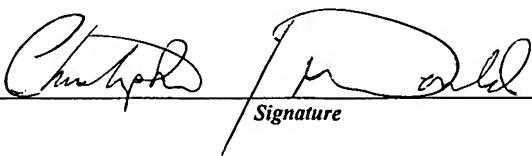
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Signature

Dated: May 26, 2006

Christopher J. McDonald
Reg. No. 41,533
HOFFMAN, WASSON & GITLER, P.C.   05/30/2006 JHDUGI 00000026 10720213
2461 South Clark Street, Suite 522
Arlington, VA 22202-1 FC:2401   250.00 OP
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope adressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

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